

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of:

July 18, 2005

Patrick Smithberger and Stephen Cooper

Serial No. : 10/708,181

Group Art Unit: 3747

Filed : February 13, 2004

Examiner: Hieu T Vo

For : SYSTEM AND METHOD FOR TRANSITIONING BETWEEN
ENGINE DEVICE SCHEDULES BASED ON ENGINE OPERATING CONDITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Applicants received a Notice of Allowance dated June 28, 2005 on the above-identified patent application. In the Notice, the Examiner allowed claims 1-20. The Examiner also paraphrased applicant's claimed invention as part of the stated reasons for allowance. Applicant agrees with the Examiner's conclusions regarding the patentability of the allowed claims, without necessarily agreeing with or acquiescing in the Examiner's reasoning. In particular, applicant believes that the application is allowable because the prior art fails to teach or suggest the invention as claimed, independent of how the invention is paraphrased.

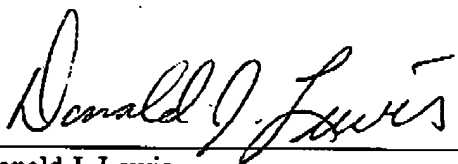
Please contact the undersigned if you have any questions or comments, or if applicant can be of any assistance in expediting issuance of the patent.

CERTIFICATE OF FACSIMILE

Respectfully submitted,

I hereby certify that this correspondence is being sent to the U.S. Patent and Trademark Office via facsimile at 703-746-4000, on July 18, 2005.


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